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AMENDMENT

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REMARKS

Claims 1-11 stand rejected and are at issue. Claim 11 has been amended to correct formalities. Additionally, claim 1 has been amended to recite that each arm loop be adapted to receive a separate arm of a wearer.

35 U.S.C. § 112

Claim 11 stand rejected as being indefinite for failing to point out and distinctly claim the subject matter the applicants regard as the invention. The phrase "head harness" has been amended to recite "drag harness" to correct antecedent basis.

The Office Action also alleges that claim is merely functional and does not further limit the claimed element. Claim 11 has been amended to recite that the drag grip, the common juncture, or both provide means for supporting the head of the wearer. One skilled in the art would readily understand this language, especially in light of the written description. Therefore, this rejection should be withdrawn.

35 U.S.C. § 102

Claims 1-4 and 11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,163,413 to Carella. However, in view of the amendment made to claim 1, this rejection should be withdrawn.

Specifically, independent claim 1, from which claims 2-4 and 11 depend recites a drag harness including two arm loops, each of which is adapted to receive a separate arm of the wearer. This structure is simply not shown in Carella. Carella discloses an archery training device that includes two loops that both fit around the same arm, or more particularly the elbow of the wearer. The loops must fit around the same arm so that the archery device can operate. Therefore, as Carella fails to disclose one or more aspects recited in independent claim 1, the rejection by Carella should be withdrawn.

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Additionally, claims 2-4 and 11 depend from and more specifically recite the structure of independent claim 1. For example, amended claim 11 recites that the drag grip, the common juncture, or both provide means for supporting the head of the wearer. This additional structure is simply not shown in Carella. Therefore, the rejection of claims 2-4 and 11 by Carella should also be withdrawn.

35 U.S.C. § 103

Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Carella. Claims 5 and 6 depend from and more specifically recite the structure of claim 1. As argued above, Carella fails to disclose or suggest one or more elements recited in independent claim 1 and therefore, the rejection of claims 5 and 6 is improper and should be withdrawn.

Additionally, claims 5 and 6 recite that the drag harness is made of a single length of strapping. The Office Action alleges that this would be obvious. However, if Carella were modified in this manner, the reference would be unsuitable for its intended purpose. Specifically, Carella teaches an archery training device composed of upper and lower loops as well as an elastomeric member. If the elastomeric member were constructed of a single length of strapping, it would not stretch as required when the archer releases the bow string. Therefore, Carella would not operate as required if the elastomeric member was made of a single piece of strapping with the upper and lower loops.

Claims 1-8 and 11 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 4,682,671 to Hengstenberger in view of U.S. Patent 4,478,311 to Anderson. This rejection should be withdrawn.

Specifically, independent claim 1, from which claims 2-7 and 11 depend, recites a drag harness including two arm loops, each of which has a fixed length. The Office Action correctly acknowledges that Hengstenberger fails to disclose two arm loops. Accordingly, it should also be understood that Hengstenberger also fails to disclose two arm loops, each having a fixed length. The Office Action alleges that Anderson discloses two arm loops. However, referring to Figure 1 of Anderson, it is readily apparent that the loops 17 and 18 are in fact adjustable. Therefore, as Hengstenberger and Anderson, each taken alone or in combination,

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fails to teach or suggest the structure recited in claim 1 and subsequently claims 2-8 and 11, the rejection should be withdrawn.

Claims 9 and 10 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hengstenberger and Anderson further in view of U.S. Patent 6,205,584 to Yocco. As argued above, the proposed combination of Hengstenberger and Anderson fails to teach or suggest two arm loops, each of which has a fixed length, as recited in independent claim 1. Yocco adds nothing in this regard. The loop portions 106 and 108 in Yocco are also not fixed, as required in independent claim 1. Claims 9 and 10 depend from and more specifically recite the structure of claim 1. Therefore, as each of Hengstenberger, Anderson and Yocco, taken alone or in combination, fails to disclose the structure recited in claims 9 and 10, the rejection should be withdrawn.

The applicants submit, therefore, that claims 1 though 11 should be now allowable. The applicants solicit their allowance.

Respectfully submitted,

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